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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,494	02/20/2004	Alain Yang	D0932-00434	2139
8933	7590	08/17/2007	EXAMINER	
DUANE MORRIS, LLP IP DEPARTMENT 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103-4196			TADESSE, YEWEBDAR T	
			ART UNIT	PAPER NUMBER
			1734	
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			08/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/783,494

Applicant(s)

YANG ET AL.

Examiner

Yewebdar T. Tadesse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-24, 27, 29-33, 36-40 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-24, 27, 29-33, 36-40 and 43 is/are allowed.
- 6) ☒ Claim(s) 44-46 is/are rejected.
- 7) ☒ Claim(s) 47 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over C. S Francis (US 2,543,101).

As to claim 44, Francis discloses (see Fig 1 and column 8, lines 43-75 and 1-25) a system for manufacturing composite fibrous product (capable of being insulation product) comprising a conveyor (belt 3) for conveying a sheet containing randomly oriented fibers bonded together and the sheet having first and second major surfaces and a pair of side portions (see column 4, line 65); a bicomponent fiber deposition

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chamber (9) disposed over the conveyor, the bicomponent deposition chamber including at least one opening on a side thereof coupled to a blower (15, 17), each of the bicomponent fibers including first component (non-adhesive fibers) and second component (adhesive fibers), wherein the bicomponent components are blown into the chamber by the blower through the at least one opening of the chamber in an air stream having an upward orientation directed toward a top wall of the chamber (see air stream flowing out through screen 18); a heater (heating zone with heating cabinet 23) disposed to heat the layer and the sheet, thereby forming a nonwoven (felt-like mass) layer meltbonded to the at least one of major surfaces and a source of bicomponent fibers (see blowers 15 and 17) coupled to the chamber. Francis further discloses a second component source (10) containing the second fiber connected to the blower (15), however Francis lacks showing a first component (non-adhesive fibers) source containing a first component connected to blower (17). It is known in the art to connect a source containing one of the bicomponent fibers to the blower to apply already produced or formed fibers contained in the supplying chamber (10) such as shown by Francis. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a bicomponent source containing the first component (non-adhesive fiber, one of the bicomponent fibers) coupled to the blower to supply the desired amount of material to the applying chamber.

As to claim 45, in Francis the second component portion having a higher melting point than the first component portion and the heater heating the layer to a temperature at or above the melting temperature of the first component portion but below the melting

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temperature of the second component, whereby the first component portion of the bicomponent fibers is meltbonded to the randomly oriented fibers in the insulation sheet.

As to claim 46, in Francis the bicomponent fibers are capable of containing fibers as claimed (see column 2, lines 27-34).

Allowable Subject Matter

4. Claims 20-24, 27, 29-33, 36-40 and 43 are allowed.

5. Claim 47 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims:

6. See reasons for allowance described on the non-final action dated 02/22/2007 for claims 20-24, 27, 29-33, 36-40 and 43. Claim 47 is also allowable in view of the allowable subject matter described on action dated on 02/22/2007. None of the prior art cited or reviewed by the examiner alone or in combination teaches or reasonably suggests a system for manufacturing an insulation product comprising, among others, a chamber for applying bicomponent fibers, wherein the chamber includes at least one opening on a side thereof coupled to a blower to a hose, wherein the conduit is oriented at an upward orientation toward the top wall of the chamber for applying or depositing bicomponent fibers.

Response to Arguments

7. Applicant's newly added claims are rejectable in view of reference to Francis as described above.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM - 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tucker Phillip can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



YTT